

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 30TH DAY OF MARCH 2015/9TH CHAITHRA, 1937

Bail Appl.No. 1728 of 2015

PETITIONER(S)/ACCUSED:

**SHIJU C.K., AGED 34 YEARS,
S/O.ACHUTHAN, AARADHANA, KUTHUPARAMBA AMSOM,
NARAVOOR DESOM, P.O.KUTHUPARAMBA, KANNUR DISTRICT.**

**BY ADVS.SRI.M.SASINDRAN
SRI.A.ARUNKUMAR**

RESPONDENT(S)/COMPLAINANT & STATE:

- 1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**
- 2. THE STATION HOUSE OFFICER,
KUTHUPARAMBA POLICE STATION (CRIME NO.290 OF 2015)
KANNUR DISTRICT - 670 001.**

BY PUBLIC PROSECUTOR SRI.SREEJITH V.S.

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
30-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

B. KEMAL PASHA, J.

.....
B.A. No.1728 of 2015
.....

Dated this the 30th day of March, 2015

ORDER

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Petition filed under Section 439 Cr.P.C.

2. Petitioner is the accused in Crime No.290/2015 of Kuthuparamba Police Station, Kannur district, registered for the offences punishable under Section 354A IPC and Section 7 read with Section 8 and Section 11 read with Section 12 of the Protection of Children from Sexual Offences Act, 2012.

3. The allegation against the petitioner is that on 19.10.2014, by using his mobile phone, he had taken photographs of a 14 year old girl while she was changing her dress and he caught hold of her and grabbed her private parts. It is also alleged that he repeatedly used to make sexual overtures towards her and was disturbing her by going behind her. The petitioner has been in custody for the

period from 13.02.2015 onwards.

4. Heard learned counsel for the petitioner and the learned Public Prosecutor.

5. No criminal antecedents have been reported against the petitioner. The allegations against the petitioner are very grave and serious. Having regard to the period undergone by the petitioner in custody and the present stage of investigation, I am of the view that the petitioner can be enlarged on bail by making provisions for safety and security of the victim.

6. In the result, this Bail Application is allowed and the petitioner shall be enlarged on bail on his executing a bond for ₹1,00,000/- (Rupees one lakh only) with two solvent sureties for the like sum each to the satisfaction of the court below, and subject to the following terms and conditions:-

(i) The petitioner shall report before the Investigating Officer in between 9 a.m. and 11 a.m. on all Mondays and Thursdays commencing from

06.04.2015 for a period of six months.

(ii) Except for observing condition No.(i) above, the petitioner shall not enter into Kannur district for a period of six months from today.

(iii) The petitioner shall neither contact the girl or her family members nor make any attempt for the same, either directly or indirectly.

(iv) The petitioner shall not tamper with the evidence or influence witnesses.

(v) The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

(vi) The petitioner shall not involve in any offence while on bail.

It is made clear that the violation of any of the conditions stipulated above will result in the cancellation of bail.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/30/03

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PA to Judge